

REMARKS

Claims 1-28 remain in this application. Claims 6, 15, 20, 21 and 27 were amended to correct informalities. No new matter has been introduced as a result of the amendments.

The Abstract was objected to for informalities. With the above amendments, Applicants respectfully submit the Abstract is in proper form and that the objection be withdrawn.

Claims 1, 6, 13, 15, 20, 22 and 27 were objected to for informalities. Regarding claim 1, 15 and 22, it is respectfully submitted that the term "a user" is grammatically correct, and that no amendments are required in this regard. Applicants have amended the remaining terms per Examiner's suggestion; withdrawal of the objections is respectfully requested.

Claims 1-4, 8-11, 15-18 and 22-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over admitted prior art, *Adiwoso et al.* (U.S. Patent 5,963,862), *Dixon* (U.S. Patent 6,023,242) and further in view of *Grooters* (U.S. Patent 6,684,399).

Claims 5, 12, 19 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over admitted prior art, *Adiwoso et al.* (U.S. Patent 5,963,862), in view of *Dixon* (U.S. Patent 6,023,242) and further in view of *Grooters* (U.S. Patent 6,684,399) and further in view of *Haughli et al.* (U.S. Patent 6,522,638).

Claims 6-7, 13-14, 20-21 and 27-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over admitted prior art, *Adiwoso et al.* (U.S. Patent 5,963,862), in view of *Dixon* (U.S. Patent 6,023,242) and further in view of *Grooters* (U.S. Patent 6,684,399) and further in view of *Pond* (U.S. Patent 5,860,056). Applicant traverses these rejections. Favorable reconsideration is respectfully requested.

Specifically, none of the cited references, alone or in combination, disclose "receiving location information associated with an antenna; instructing a user to point the antenna to a beacon satellite using predefined pointing values based upon the location information; establishing a temporary channel over the beacon satellite to a hub; collecting user information over the temporary channel to the hub; receiving network configuration parameters and antenna pointing parameters downloaded from

the hub; selectively instructing the user to re-point the antenna based upon the downloaded antenna pointing parameters; and configuring the user terminal based upon the downloaded network configuration parameters” as recited in claim 1 and similarly recited in claims 8, 15 and 22.

The Office Action stated that the only element disclosed by *Adiwo* was the feature of “receiving network configuration parameters and antenna pointing parameters downloaded from the hub.” The Office Action went further to state that it would have been obvious to one of ordinary skill in the art to combine the teaching of *Dixon* with that of *Adiwo*. The Applicants respectfully disagree. In determining the differences between the prior art and the claims, the question under 35 U.S.C. §103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious (MPEP 2141.02). The teaching in *Adisowo* is clear that the disclosed system in the reference is aimed toward cellular telephone users and home terminal usage in a geographical area (col. 3, lines 38-50; col. 6, lines 6-9; col. 10, lines 16-25). *Adisowo* is silent on the feature of “antenna pointing parameters” as recited in the present claims. Moreover, Under the disclosure of *Adiwo*, the antenna location is completely irrelevant to the teaching in the reference, as user data or predetermined geographic satellite assignments and gateways control the transmission and receipt of data, and not antenna location (col. 10, lines 17-26; col. 12, lines 12-22; col. 13, lines 28-36). Accordingly, there would be no teaching suggestion or motivation to one skilled in the art to modify *Adiwo* with the teaching of *Dixon*, as *Dixon* discloses mobile satellite antennas equipped with a navigational satellite receiver (304) (col. 10, lines 38-45), and *Adiwo* discloses units operating in a fixed location (see, e.g., claim 1 lines 4-6). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant’s disclosure (MPEP 2143).

Regarding the *Grooters* reference, the Examiner stated that it would have been obvious to combine the temporary program guide channel disclosed in *Grooters* with the teaching of *Adiwo* to arrive at the claimed invention. Again, Applicants respectfully disagree. First, in addressing the teaching of *Grooters* with that of *Adiwo*, the

rejection neglected to take into consideration the teaching of *Dixon*, which teaches away from *Grooters*. Second, it is not at all understood how the motivation of “dynamically [creating] a temporary channel for communication for live broadcast events because creating flexible and temporary channel [sic] to provide temporary programming time only when necessary rather than establishing fixed and long static channels” cited in the Office Action (page 5, last 5 lines) relates to the presently claimed invention. The temporary channel in *Grooters* is explicitly disclosed as one being created for making ad hoc connections to transmit special content (i.e. live broadcasts) over unused channels in a receiver (col. 7, lines 22-46). No such features are addressed in the present claims, and none of these features are relevant to the *Adiwozo* and *Grooters* references. Likewise, *Haugli* and *Pond* do not solve the deficiencies of the above references.

The Applicant respectfully asks that future Office Actions provide more specificity in the rationale for the rejections. For example, the Office Action concedes that *Adiwozo* does not disclose a temporary channel (page 5, first full paragraph), but then proceeds to claim that the *Adiwozo* reference “has a designated default transponder to support the temporary channel” (page 6, lines 2-5), and also discloses the “hub in the establishing step [to a temporary channel] has connectivity to a packet switched network” (page 6, 2nd paragraph, lines 2-4). Applicants emphasize that this kind of examination is improper. The claims should not serve as a roadmap for arbitrarily selecting features from various references to arrive at a piecemealed conclusion of obviousness. The teaching, suggestion or motivation to combine must come from the references, and not from the Applicant’s disclosure. The rejections are improper and should be withdrawn.

Applicants, therefore, respectfully submit that all pending claims are in condition for allowance and notice to this effect is respectfully requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If, however, the Examiner believes that there are any unresolved issues requiring adverse action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Craig Plastrik, at 301-601-7252, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Craig Plastrik', is written over a horizontal line.

Dated: 3 November 2004

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